

## REMARKS

The Office Action dated September 17, 2008 has been received and considered. The specification was objected to as failing to provide proper antecedent basis for the term “machine readable medium” in claims 36 and 39. These claims have been amended to recite “computer readable medium” as disclosed on page 8 of the application as filed.

Claims 6, 9, 13, 19, 36, and 39 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,693,912 to Wang in view of U.S. Publication No. 2002/0186660 to Bahadiroglu, that combination further in View of U.S. Patent No. 6,618,397 to Huang, and that combination further in view of U.S. Publication No. 2003/0055594 to Bunker. The rejection is hereby respectfully traversed for at least the following reasons.

Independent claims 6, 13, and 36 have been amended to clarify that the distributed devices are file servers.

Wang discloses a method for an end user to gain control over Quality of Server as an active packet travels from one network to another through a series of active gateways. Wang does not disclose that the active gateways are file servers.

Bahadiroglu discloses an adaptive packet mechanism for optimizing data packet transmission through a network connection, including using latency and jitter of the network to determine an optimum packet size and optimum inter-packet interval for transmission. Huang discusses group packet encapsulation and compression in which packet transmission performance is increased between two gateways or host computers. Bunker discloses many well-known network types. However, Bahadiroglu, Huang, and Bunker do not overcome the deficiencies of Wang.

It is therefore respectfully submitted that independent claims 6, 13, and 36 are in condition for allowance. The remaining claims depend from claims 6, 13, or 36 and are thus allowable for at least the same reasons.

### CONCLUSION

If the Examiner has any questions or comments, he is invited to telephone the undersigned. Applicant does not believe that additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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